

HONOURABLE SRI JUSTICE D.S.R.VARMA
AND
HONOURABLE SRI JUSTICE P.SWAROOP REDDY

TAKEN UP WRIT PETITION NO.19142 OF 2006

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Dated:22.09.2006

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S.D.Abdulkalam Azad, Advocate

...Petitioner

The Station House Officer,
Chilakaluripet Town Police Station,
Guntur and another.

...Respondents

HONOURABLE SRI JUSTICE D.S.R.VARMA
AND
HONOURABLE SRI JUSTICE P.SWAROOP REDDY

TAKEN UP WRIT PETITION NO.19142 OF 2006

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ORDER: *(per the Hon'ble Sri Justice P.Swaroop Reddy)*

This writ petition is taken up on the basis of a telegram, dated 12.09.2006, sent to the Hon'ble the Chief Justice, High Court of Andhra Pradesh, by one S.D.Abdulkalam Azad, Advocate, alleging that his brother by name Abu Zuber Sayyed was forcibly taken away by the Police Personnel of Chilakaluripet Town Police Station, Guntur District, on 09.09.2006 at 6 p.m., and was kept in a secret place and that he is apprehending danger to the life of his brother.

On receipt of notice from this Court, the first respondent-Sub-Inspector of Police, Chilakaluripet Town Police Station, Guntur District, filed counter-affidavit, contending that the alleged detenu was apprehended by the Assistant Sub-Inspector of Police along with two other Police Constables, on the intervening night of 11/12.09.2006, near Sharaff Bazar, Chilakaluripet, at 1 a.m., while he was moving in suspicious circumstances near Vijayalakshmi Jewellers Shop. On search of his person, a bunch of keys, one iron rod and one match box were found and he was apprehended under Section-41 (ii) Cr.P.C. Later, he was produced before the Mandal Executive Magistrate, Chilakaluripet, who bound over the alleged detenu vide M.C.No.101 of 2006. The copies of the relevant material are also filed before this Court.

Considering the above circumstances and as the alleged detenu is available and was bound over by the Mandal Executive Magistrate, Chilakaluripet, but, not illegally confined by Chilakaluripet Police, as alleged in the telegram, nothing remains in this writ petition.

The writ petition fails and is accordingly dismissed, at the stage of admission.

D.S.R.VARMA, J

P.SWAROOP REDDY, J

22.09.2006
DR